

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

MATTHEW MASIELLO, Individually and) Case No. 17-CV-2239
on Behalf of All Others Similarly Situated,)
Plaintiff,) Judge Christopher A. Boyko
v.)
JAMES SWARTWOUT, et al.,)
Defendants.)

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Plaintiff Matthew Masiello and defendants James Swartwout, Joseph Hartnett, David Molfenter, James Fast, Charles Kummeth, Frank Wilson, Alan L. Bazaar, and John A. Janitz, being all the parties in this action, hereby stipulate under Fed. R. Civ. P. 41(a)(1)(A)(ii) that this entire action, including the Complaint of Plaintiff Matthew Masiello (dkt #1), is dismissed without prejudice as to all claims, causes of action and parties, with each party bearing that party's own attorney's fees and costs.

Dated: March 16, 2018

For Plaintiff:

For Defendants:

/s/ Daniel R. Karon
Daniel R. Karon (0068394)
Beau D. Hollowell (0080704)
Karon LLC
700 West St. Clair Avenue, Ste 200
Cleveland, Ohio 44113
Phone: 216.622.1851
Fax: 216.241.8175
Email: dkaron@karonllc.com
bhollowell@karonllc.com
Attorney for Plaintiff
Matthew Masiello

/s/ Brian J. Lamb
Brian J. Lamb (0055447)
Thomas M. Ritzert (0085370)
THOMPSON HINE LLP
3900 Key Center, 127 Public Square
Cleveland, OH 44114
(216) 566-5500 (Phone)
(216) 566-5800 (Fax)
Brian.Lamb@ThompsonHine.com
Thomas.Ritzert@ThompsonHine.com

and

Michael A. Olsen (*pro hac vice*)
Brian J. Massengill (*pro hac vice*)
Matthew C. Sostrin (*pro hac vice*)
MAYER BROWN LLP
71 S. Wacker Drive
Chicago, IL 60606
(312) 782-0600 (Phone)
(312) 701-7711 (Fax)
molsen@mayerbrown.com
bmassengill@mayerbrown.com
msotrin@mayerbrown.com

*Attorneys for Defendants James Swartwout,
Joseph Hartnett, David Molfenter, James
Fast, Charles Kummeth, Frank Wilson, Alan
L. Bazaar, and John A. Janitz*